

**HIGH COURT OF CHHATTISGARH AT BILASPUR**  
**W. P.(S) No. 1453 of 2007**

**Petitioner** : Khemraj Patel  
 S/o Shri Chhabilal Patel  
 Aged about 54 years, Post-Asst.  
 Teacher, R/o village & Post Usroot,  
 Tah. & Dist : Raigarh-(C.G.)

**Versus**

**Respondents** :1. State of Chhattisgarh,  
 Through : Secretary  
 School Education Department  
 D.K. S. Bhawan, Raipur (C.G.)

2. District Education Officer  
 Raigarh, Dist : Raigarh-(C.G.)

3. Block Education Officer  
 Block - Raigarh District - Raigarh  
 (C.G.)

**SB: Hon'ble Mr. Justice Satish K. Agnihotri, J**

**Present:** Mr. N.K. Malviya, Advocate on behalf of Mr. Vivek Kumar  
 Pandey, Advocate for the petitioner.  
 Ms. Deepali Pandey, Panel lawyer for the  
 respondents/State.

**ORDER**

(Passed on this 13<sup>th</sup> Day of March, 2007)

1. The petitioner was appointed on 22.11.73 as Up-Shikchhak on fixed pay scale of Rs. 150/-. After completion of two years probation, he was granted regular pay scale of Rs. 545-950/-.
2. Learned counsel appearing for the petitioner submits that the issue involved in the case is asto whether, the petitioner is entitled to regular pay scale w.e.f. the date of initial appointment or from the date of completion of probation period.
3. The issue involved, herein was considered by the Madhya Pradesh State Administrative Tribunal, Jabalpur in O.A. No. 2745/89 (Madhukant Yadu and 56 others Vs. State of M.P. & others), wherein it was held that the similarly situated teachers are entitled to regular pay scale

w.e.f. the date of initial appointment. The matter was taken up to the Hon'ble Supreme Court in Special Leave Petition (Civil) No. 6892/93. The said petition was dismissed by the Hon'ble Supreme Court upholding the decision of the Tribunal to the effect that the Teachers/Assistant Teachers are entitled to regular pay scale from date of initial appointment.

4. Learned counsel appearing for the petitioner further submits that this Court, while considering the same issue in Ram Kumar Sahu and others vs. The State Govt. of Chhattisgarh & another (W. P. (s) No. 813 of 2007) by order dated 12.2.2007, has granted regular pay scale w.e.f. the date of initial appointment.
5. Learned counsel appearing for the parties jointly submit that this case is squarely covered by the decision of this Court in the case of Ram Kumar Sahu and others vs. The State Govt. of Chhattisgarh & another (Supra).
6. In view of that, this petition is allowed in the same terms. No order as to costs.

Sd/-  
Satish K. Agnihotri  
Judge